

REMARKS

Summary of the Office Action

Claims 1-2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,371,350 to *Gonnett et al.* (“*Gonnett*”).

Summary of the Response to the Office Action

Applicants amend claim 1 to better clarify the inventions. Amended claim 1 includes a feature from withdrawn claim 6. Claims 3-12 are withdrawn. Accordingly, claims 1 and 2 are presently pending.

The Rejection Under 35 U.S.C. § 102

Claims 1-2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,371,350 to *Gonnett et al.* (“*Gonnett*”). Applicants respectfully traverse the rejections for at least the following reasons.

Applicants respectfully submit that the Office Action has not established that *Gonnett* anticipates each and every feature of Applicants’ claimed invention and that all rejections under 35 U.S.C. § 102(b) should be withdrawn. Newly amended independent claim 1 recites, in part, “a rising portion rising from the base portion, the rising portion including a guide face inclined on an inner wall face of the rising portion; and an engaging portion protruding from an inner side of the inclined guide face, the engaging portion engageable with a leading end of a nailing machine.” *Gonnett* fails to teach or suggest at least these features of claim 1.

The Office Action states that part 12 of *Gonnet* corresponds to the rising portion of independent claim 1. However, part 12 does not have a guide face inclined on an inner wall face

thereof as newly claimed. Thus, *Gonnet* fails to disclose the limitation “the rising portion including a guide face inclined on an inner wall face of the rising portion,” recited in newly amended independent claim 1. Support for the amendment may be found on ¶[0020] and Figs. 1 and 3-5 of the specification.

Further, the Office Action states that a snap fit clamp 11 of *Gonnet* corresponds to an engaging portion of independent claim 1. However, the snap fit clamp 11 is the same member as the part 12, and does not protrude from an inner side of the inclined guide face. Thus, *Gonnet* fails to disclose the newly added limitation “an engaging portion protruding from an inner side of the inclined guide face” of newly amended independent claim 1.

In the present invention, a leading end of a nailing machine is engaged with the engaging portion of the part clamp while the leading end is guided by the inclined guide face. Thus, even when the leading end of the nailing machine is roughly inserted to the part clamp, the part clamp can be securely attached to the nailing machine. On the other hand, *Gonnet* fails to teach or suggest this feature of the present invention.

As pointed out in MPEP § 2131, a claim is anticipated by a prior art reference only if each and every element as set forth in the claim is found. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051 (Fed. Cir. 1987). Therefore, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(b) should be withdrawn because *Gonnet* does not teach or suggest each feature of newly amended independent claim 1.

Additionally, Applicants respectfully submit that dependent claim 2 is also allowable insofar as it recites the patentable combinations of features recited in claim 1, as well as reciting additional features that further distinguish over the applied prior art.

CONCLUSION

In view of the foregoing, Applicants respectfully requests entry of the amendments to place the application in clear condition for allowance or, in the alternative, in better form for appeal.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: /David E. Connor/
David E. Connor
Reg. No. 59,868

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CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
Tel.: (202) 739-3000
Fax: (202) 739-3001